B1 (Official Form 1) (12/11) Doc 1 Filed 07/23/13 Entered 07/23/13 23:14:42 Main Document

United States Southern Dist	Bankruptcy Corict of New Yo	<del>Pg 1</del> ourt ork	<del>of 14</del>		Volui	ntary P	<b>Petition</b>
Name of Debtor (if individual, enter Last, First, Middle): SOLERA HOLDINGS L.L.C.		Nai	me of Joint De	ebtor (Spouse) (Last	t, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All (inc	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than one, state all): 13-3912041			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than one, state all):				
Street Address of Debtor (No. & Street, City, and State): 216 EAST 53RD STREET NEW YORK, NEW YORK	CODE 10022	Str	Street Address of Joint Debtor (No. & Street, City, and State):  ZIP CODE				
County of Residence or of the Principal Place of Business: NEW YORK		Cor	unty of Reside	ence or of the Princ	ipal Place of Busines	SS:	
Mailing Address of Debtor (if different from street address	):	Ma	iling Address	of Joint Debtor (if	different from street	address):	
ZIP	CODE			ZIP CODE			
Location of Principal Assets of Business Debtor (if different 216 EAST 53RD STREET NEW YORK, NEW YORK	from street address above	ve):				ZIP COD	DE 10022
Type of Debtor (Form of Organization)	Nature o (Check one box)	f Business	S	•	ter of Bankruptcy he Petition is Filed		
(Check one box.)  Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Health Care Busin Single Asset Real U.S.C. § 101(51E Railroad Stockbroker Commodity Broke Clearing Bank Other	l Estate as o	defined in 11	Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13	_	Chapter 15 Recognition Main Proce	Petition for n of a Foreign eeding Petition for n of a Foreign
Chapter 15 Debtors		mpt Entity			Nature of		
Country of debtor's center of main interests:  (Check box, if app  Debtor is a tax-exempt			Debts are primarily consumer  Debts are primarily				
Each country in which a foreign proceeding by, regarding, or against debtor is pending:  under Title 26 of the U Code (the Internal Revious Against debtor)				§ 101(8) as individual p	ed in 11 U.S.C.  "incurred by an rimarily for a mily, or house-	bı	asiness debts.
Filing Fee (Check one box)			Check one		Chapter 11 Debto	ors	
<ul> <li>✓ Full Filing Fee attached</li> <li>☐ Filing Fee to be paid in installments (applicable to ind signed application for the court's consideration certifyi unable to pay fee except in installments. Rule 1006(b)</li> <li>☐ Filing Fee waiver requested (applicable to chapter 7 in attach signed application for the court's consideration.</li> </ul>	ng that the debtor is See Official Form 3A. adividuals only). Must	ch	Debtor Debtor Check if: Debtor's insiders 4/01/13 Check all a A plan Accepta	is a small business of is not a small business aggregate noncont or affiliates) are led and every three ye pplicable boxes is being filed with thances of the plan we	ears thereafter).	in 11 U.S.6 bts (excludi	ng debts owed to eject to adjustment on
Statistical/Administrative Information	1t	:4					THIS SPACE IS FOR COURT USE ONLY
Debtor estimates that funds will be available for distributed Debtor estimates that, after any exempt property is execupenses paid, there will be no funds available for distributed by the control of th	cluded and administrative	е					
Estimated Number of Creditors							
1- 50- 100- 200- 1,000- 49 99 199 999 5,000	5,001- 10,001- 10,000 25,000	25,001- 50,000	50,001- 100,000	Over 100,000			
Estimated Assets  State	to \$50 to		\$100,000,00 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		
Estimated Liabilities  \$\begin{array}{ c c c c c c c c c c c c c c c c c c c	to \$50 to	=	\$100,000,00 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		

B1 (Official 13-112398) rold Doc 1 Filed 07/23/13 Entered 07/23/13 23:14:42 Main Document B1, Page 2 Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case) SOLERA HOLDINGS L.L.C. All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Case Number: Date Filed: Location Where Filed: Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number 7/16/2013 **RUFINO LOPEZ** 13-23188 (RDD) Relationship: Judge: District: RDD MANAGING MEMBER S.D.N.Y. Exhibit A Exhibit R (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts) 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. Not Applicable Signature of Attorney for Debtor(s) Date Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. ☑ No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately M preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following). (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

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Voluntary Petition (This page must be completed and filed in every case)	9 3 of 14 Name of Debtor(s): SOLERA HOLDINGS L.L.C.			
Sign	atures			
Signature(s) of Debtor(s) (Individual/Joint)  I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X Not Applicable  Signature of Debtor  X Not Applicable  Signature of Joint Debtor  Telephone Number (If not represented by attorney)	Signature of a Foreign Representative  I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by 11 U.S.C. § 1515 are attached.  Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X Not Applicable  (Signature of Foreign Representative)			
Date	Date			
Signature of Attorney  X /s/ A. Mitchell Greene  Signature of Attorney for Debtor(s)  A. MITCHELL GREENE Bar No.  Printed Name of Attorney for Debtor(s) / Bar No.  ROBINSON BROG LEINWAND GREENE ET AL.  Firm Name  875 THIRD AVENUE 9TH FLOOR  Address  NEW YORK, NY 10022  212-603-6300  Telephone Number  7/23/2013  Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.  Not Applicable  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)			
Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X  Signature of Authorized Individual  RUFINO LOPEZ  Printed Name of Authorized Individual  MANAGING MEMBER  Title of Authorized Individual  7/23/2013  Date	Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.  Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.  If more than one person prepared this document, attach to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.			

UNITED STATES BANKRUPTCY COURT	
SOUTHERN DISTRICT OF NEW YORK	
X	
In re:	Chapter 11
SOLERA HOLDINGS L.L.C.,	Case No.: 13
Debtor.	

#### **CERTIFICATE OF RESOLUTION**

I, the undersigned, **Rufino Lopez**,, the Managing Member of **Solera Holdings L.L.C.** (the "Company"), do hereby certify that at a meeting of the Company duly called and held, the following resolutions were adopted and recorded in the Minute Book of the Company, and they have not been modified or rescinded, and are still in full force and effect:

"RESOLVED, that in the judgment of the Company it is desirable and in the best interest of the Company, its creditors, members and other interested parties, that a petition be filed by the Company for relief under Chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"); and it is further

"RESOLVED, that the form of petition under Chapter 11 presented to this meeting is approved and adopted in all respects, and that Rufino Lopez, the Managing Member of the Company, is authorized to execute and verify a petition substantially in such form and to cause the same to be filed with the United States Bankruptcy Court for the Southern District of New York at such time as he shall determine; and it is further

"RESOLVED, that Rufino Lopez, the Managing Member of the Company, is authorized to execute and file all petitions, reorganization schedules, lists and other papers and to effectuate the filing of the Chapter 11 case, and, in that connection, that the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C. be retained and employed as legal counsel for the Company under a general retainer, in addition to such special counsel as may

hereafter become necessary or proper with a view to the successful conclusion of such Chapter 11 case."

**IN WITNESS WHEREOF,** I have hereunto set my hand and seal of the Company this 23<sup>rd</sup> day of July, 2013.

SOLERA HOLDINGS L.L.C.

By:

RUFINO LOPEZ, MANAGING MEMBER

SOUTHERN DISTRICT OF NEW YORK	
X	
In re:	Chapter 11
SOLERA HOLDINGS L.L.C.,	Case No.: 13
Debtor.	
$\Lambda$	

#### **AFFIRMATION PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2**

Rufino Lopez, affirms, to the best of my knowledge, as follows:

- 1. I am the Managing Member of Solera Holdings L.L.C. (the "Debtor"). I am fully familiar with the facts set forth herein, and am authorized to make this Affirmation on behalf of the Debtor.
- 2. The Debtor owns the real property located at 216 East 53<sup>rd</sup> Street, New York, New York which property is improved by a four story building (the "Property").
  - 3. No pre-petition committee was organized prior to the Order for relief.
  - 4. The Debtor's Secured Creditors are:

BREAKERS CAPITAL, LLC C/O FELDMAN & ASSOCIATES, PLLC 33 EAST 33<sup>RD</sup> STREET, SUITE 802 NEW YORK, NEW YORK 10016

NYC DEPARTMENT OF FINANCE ATTN: LEGAL AFFAIRS - DEVORA COHN, 345 ADAMS STREET, 3RD FL BROOKLYN, NY 11201 NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION 58-17 JUNCTION BOULEVARD 13TH FLOOR FLUSHING, NY 11373

- 5. The names and addresses of the twenty largest unsecured creditors, excluding insiders, appears on Schedule "A" to this Affidavit.
- 6. To the best of my knowledge, there is one suit pending against the Debtor: Breakers Capital, LLC v. Solera Holdings, et. al., Index No. 850046/2012, Supreme Court of New York, New York County.
- 7 The purpose of filing this petition is to preserve the assets of the Debtor for the benefit of the creditors and equity holders, and to preserve priorities of creditors.
- 8. The estimated amount of payroll due to the Debtor's employees, excluding officers, for a period of thirty days following the filing of the petition is \$0. No salaries are currently being paid to Debtor's officers.
- 9. The Debtor's estimate of its income and expenses through August 31, 2013 is as follows:

Rental Income \$22,000

Expenses

Water \$1,000

Taxes \$7,500

Utilities \$800

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Insurance

\$1,700

Total Expenses:

\$11,000

Total Net Profit:

\$11,000

10. The Debtor's financial difficulties were caused by, among other things, the general economic climate, a partnership dispute and excessive default interest rates alleged

by the Debtor's secured creditor.

11. The Debtor has made no public offering of its securities and no securities

issued by the Debtor are publicly held.

12. The foregoing affirmation and documents filed concurrently therewith are

made to the best of my knowledge and prepared under exigent circumstances in order to

effectuate an emergency bankruptcy filing and are subject to amendment.

Dated: New York, New York

July 23, 2013

SOLERA HOLDINGS L.L.C.

 $\mathbf{R}_{\mathbf{V}}$ 

RUFINO LOPEZ, MANAGING MEMBER

B4 (Official Form 4) (12/07)

PO BOX 138

NEW YORK, NY 10276

#### United States Bankruptcy Court Southern District of New York

In re SOLERA HOLDINGS L.L	C.		Case No		
	Debtor		Chapter _	11	
LIST OF CREI	DITORS HOLDING	20 LARGES	ST UN	SECUREI	D CLAIMS
(1)	(2)	(3)		(4)	(5)
Name of creditor and complete mailing address ncluding zip oode	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	is ur di	dicate if claim contingent, nliquidated, sputed or ubject to setoff	Amount of claim [if secured also state value of security]
AWRENCE MORRISON 287 SPRING STREET NEW YORK, NY 10013			UN	LIQUIDATED	\$35,000.00
WILLIAM PARADISO & ASSOCIATES, INC. 24 EAST PARK AVENUE LONG BEACH, NY 11561			UN	LIQUIDATED	\$3,800.00
CLARKSON AIR 69-14 ELIZABETH AVENUE ARVERNE, NY 11692			UN	LIQUIDATED	\$2,537.78
FIRST INSURANCE FUNDING CORP. P.O. BOX 66468 CHICAGO, IL 60666-0468					\$1,953.36
NYC DEPT OF BUILDINGS 280 BROADWAY, 3RD FLOOR NEW YORK, NY 10007					\$1,000.00
CON EDISON					\$465.38

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In re	SOLERA HOLDINGS L.L.C.	Case No.	
	Debtor	Chapter	

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)

Name of creditor and complete mailing address including zip code (2)

Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted

(3)

Nature of claim (trade debt, bank loan, government contract, etc.) (4)

Indicate if claim is contingent, unliquidated, disputed or subject to setoff (5)

Amount of claim [if secured also state value of security]

PEACE OF MIND PEST CONTROL 142 BAY 44TH STREET BROOKLYN, NEW YORK 11214

\$450.00

1 86 3

NYC DEPT OF ENVIRONMENTAL PROTECTION 58-17 JUNCTION BOULEVARD 13TH FLOOR FLUSHING, NY 11373

A. D. WINSTON SERVICE INC. 43-15 36TH STREET LONG ISLAND CITY, NY 11101

COMMUNITY PLUMBING 370 EAST 134TH STREET BRONX, NY 10454

NEW YORK BEST FINISH CONRACTING 528 4TH AVENUE BROOKLYN, NEW YORK 11215

NYC DEPARTMENT OF FINANCE ATTN: LEGAL AFFAIRS - DEVORA COHN 345 ADAMS STREET, 3RD FL BROOKLYN, NY 11201 UNLIQUIDATED

UNLIQUIDATED

UNLIQUIDATED

UNLIQUIDATED

UNLIQUIDATED

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# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:	SOLERA HOLDINGS L.L.C.	Case	e No
	Debtor	 Cha	pter

### VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of 3 sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 7/23/2013

RUFINO LOPEZ

Signed:

/s/ A. Mitchell Greene

A. MITCHELL GREENE

Attorney for Debtor(s)

Bar no.:

ROBINSON BROG LEINWAND GREENE ET AL. 875 THIRD AVENUE 9TH FLOOR NEW YORK, NY

10022

Telephone No.:

212-603-6300

Fax No.:

E-mail address:

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A. D. WINSTON SERVICE INC. 43-15 36TH STREET LONG ISLAND CITY, NY 11101

BREAKERS CAPITAL LLC 619 WEST 54TH STREET NEW YORK, NEW YORK 10019

CLARKSON AIR 69-14 ELIZABETH AVENUE ARVERNE, NY 11692

COMMUNITY PLUMBING 370 EAST 134TH STREET BRONX, NY 10454

CON EDISON COOPER STATION PO BOX 138 NEW YORK, NY 10276

CORP. COUNSEL FOR NEW YORK CITY 52 DUANE STREET NEW YORK, NY 10007

FELDMAN & ASSOCIATES, PLLC ATTN: EDWARD FELDMAN 33 EAST 33RD STREET SUITE 802 NEW YORK, NEW YORK 10016

FIRST INSURANCE FUNDING CORP. P.O. BOX 66468 CHICAGO, IL 60666-0468

INTERNAL REVENUE SERVICE P.O. BOX 7346 PHILADELPHIA, PA 19114

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LAWRENCE MORRISON 287 SPRING STREET NEW YORK, NY 10013

NEW YORK BEST FINISH CONRACTING 528 4TH AVENUE BROOKLYN, NEW YORK 11215

NEW YORK STATE DEPARTMENT OF FINANC BANKRUPTCY/SPECIAL PROCEDURES SECT P.O. BOX 5300 ALBANY, NY 12205-0300

NYC DEP P.O. BOX 371488 PITTSBURGH, PA 15250

NYC DEPARTMENT OF FINANCE ATTN: LEGAL AFFAIRS - DEVORA COHN 345 ADAMS STREET, 3RD FL BROOKLYN, NY 11201

NYC DEPARTMENT OF FINANCE 66 JOHN STREET ROOM 104 NEW YORK, NY 10038

NYC DEPT OF BUILDINGS 280 BROADWAY, 3RD FLOOR NEW YORK, NY 10007

NYC DEPT OF ENVIRONMENTAL PROTECTIO 58-17 JUNCTION BOULEVARD 13TH FLOOR FLUSHING, NY 11373

NYC WATER BOARD P.O. BOX 410 NEW YORK, NY 10008-0410

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NYS UNEMPLOYMENT INSURANCE FUND P.O. BOX 551 ALBANY, NY 12201

OFFICE OF THE ATTORNEY GENERAL THE CAPITOL ALBANY, NY 12224

PEACE OF MIND PEST CONTROL 142 BAY 44TH STREET BROOKLYN, NEW YORK 11214

RUFINO LOPEZ 216 EAST 53RD STREET NEW YORK, NEW YORK 10022

RUFINO LOPEZ 216 EAST 53RD STREET NEW YORK, NY 10022

US ATTORNEY OFFICE - SDNY 86 CHAMBERS STREET NEW YORK, NEW YORK 10007

WILLIAM PARADISO & ASSOCIATES, INC. 24 EAST PARK AVENUE LONG BEACH, NY 11561